



Public Health Environmental Health Services

Trudy Raymundo
Director

Corwin Porter, MPH, REHS
Assistant Director

Maxwell Ohikhuare, MD
Health Officer

Josh Dugas, REHS
Division Chief

January 11, 2018

System No. 3601137

Lizze Custom Processing
Attention: Frank Lizarraga
3401 Center Lake Dr., Suite 600
Ontario, CA 91761

Dear Mr. Lizarraga,

On July 14, 2017, the Division of Environmental Health Services (hereinafter Division) issued Citation No. 05_66_17C_025_3601137_02 (hereinafter Citation No.1) to Lizze Custom Processing Water System No. 3601137 (hereinafter Water System) located at 7310 Pine Ave., Chino, CA 91708 for violations of the Health and Safety Code and the California Code of Regulations pertaining to the increased Nitrate Levels detected and unresolved in the Water System. To date, the Directives indicated in Citation No.1 have not been resolved. As such, a second citation (05_66_18C_02_3601137_02_A1) is being issued and is included herein.

Health and Safety Code section 116595 provides that a public water system must reimburse the local primacy agency, in the County of San Bernardino this is the Division, for actual costs incurred for specified enforcement actions. This includes but is not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the Division has spent 3 hours on enforcement activities associated with the second citation. Pursuant to section 116595, Water System will receive a bill within the next 30 days for these costs. Any future enforcement actions taken by the Division regarding Citation Nos. 1 and 2 will be billed at the Division's current hourly rate of \$244.80. Future enforcement actions may include any time spent by the Division due to the Water Systems' failure to meet any directives.

Pursuant to Article 8 (commencing with Health and Safety Code, Section 116625) or Article 9 (commencing with Health and Safety Code, Section 116650) of the Safe Drinking Water Act, if you believe you are aggrieved by the citations issued by the Division, you may file a petition with the State Water Board for reconsideration of the citation. Attachment A to Citation No.2 contains the relevant statutory provisions for filing a petition for reconsideration.

Information regarding filing petitions is available at:
http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

Please review the enclosed Citation No.2 and comply with the Directives indicated therein. Any failure to comply with the Directives as stated may result in further legal action to obtain compliance.



Casey Salazar, REHS
Environmental Health Specialist
Division of Environmental Health Services
San Bernardino County

Certified Mail No. 7016 1970 0000 1866 4116

Cc: Eric J. Zuniga, PE, District Engineer SWRCB by email at dwpdist13@waterboards.ca.gov

**San Bernardino County
Department of Public Health
Division of Environmental Health Services**

IN RE: Lize Custom Processing
Water System No.: 3601137

TO: Lize Custom Processing
Attention: Frank Lizarraga
3401 Centre Lake Dr. Suite 600
ONTARIO CA 91761

**CITATION NO.: 05_66_18C_02_3601137_02_A1 AND ORDER
FOR NONCOMPLIANCE OF THE CALIFORNIA CODE OF REGULATIONS, SECTION
64431 & DIRECTIVES 2, 4, 5, 6, 7, 8, 9, 10 AND 12 OF CITATION NO.
05_66_17C_025_3601137_02**

Issued December 19, 2017

The Division of Environmental Health Services (hereinafter "Division"), hereby issues this Citation and Order pursuant to Sections 116650 and 116655 of the California Health and Safety Code (hereinafter "CHSC") to Lize Custom Processing Water System No. 3601137 (hereinafter "Water System") and its owner of record for violation of CHSC section 116555(a) (1), Title 22 California Code of Regulations (hereinafter "CCR"), Section 64431 and the Directives 2, 4, 5, 6, 7, and 9 of Citation No. 05_66_17C_025_3601137_02.

APPLICABLE AUTHORITIES

The applicable statutes and regulations are provided in Attachment A, attached hereto and incorporated by reference.

STATEMENT OF FACTS

The Water System is permitted as a transient non-community public water system as defined in CHSC Section 116275, subdivision (o). The Water System provides daily water service to a meat processing plant/butcher shop with approximately 10 employees and a transient population. The Water System utilizes one (1) groundwater well (Well 1) as its source of domestic water. Title 22, CCR, Division 4, Chapter 15, Article 4, establishes primary drinking water standards and monitoring and reporting requirements for inorganic chemicals. All public water systems must comply with the maximum contaminant level (MCL) for Nitrate (as N) of 10 mg/L, as established in 22 CCR Section 64431. The current running annual average (RAA) from Well 1 in the year 2016 was established at an average Nitrate (as N) concentration of 27.72 mg/L as shown in Table 1.

Table 1: Nitrate (as N) Analysis Result (mg/L) and RAA

Well1	09/22/2015	12/22/2015	03/22/2016	06/20/2016	RAA
PS Code 3601137-001	150 mg/L (as NO3) or 33.89 mg/L (as N)	26 (as N)	25mg/L (as N)	26 mg/L (as N)	27.72 mg/L

Citation No. 05_66_17C_025_3601137_02 (attachment B) was issued to the Water System on 7/14/2017 for failure to comply with 22 CCR Section 64431.

Directive 2 of the Citation required the System to submit a written response to the Division indicating its agreement to comply with the directives of this citation by August 15, 2017. **The Water System failed to comply with Directive 2.**

Directives 4 and 5 of the Citation required the Water System to provide quarterly public notification. Proof of the notification was to be submitted to the Division within 10 days of the end of the quarter. **The Water System failed to comply with Directive No. 4 and 5.**

Directive 6 of the Citation required the Water System to collect quarterly nitrate samples and report the data electronically to the Division via EDT by the lab. **The Water System failed to comply with Directive No. 6.**

Directives 7 and 8 of the Citation required the Water System to prepare and submit a Corrective Action Plan identifying improvements to the water system designed to correct the water quality problem. **The Water System failed to comply with Directive No. 7 and 8.**

Directive 9 of the Citation required the Water System to obtain Division approval of plans prior to implementing the plan. **The Water System failed to comply with Directive No. 9.**

Directive 10 of the Citation required the Water System to submit a quarterly update report to the Division. **The Water System failed to comply with Directive No. 10.**

Directive 12 of the Citation required the Water System to notify the Division no later than five days prior to the deadline if the water system is unable to fulfill the directives. **The Water System failed to comply with Directive No. 12.**

DETERMINATIONS

Based on the above Statement of Facts, the Division has determined that the Water System and its owner of record have violated CHSC, Section 116555, subdivision (a) (1), and 22 CCR Section 64431, in that the water produced by Well 1 exceeds the MCL for nitrate. The Division has also determined the System failed to comply with Directives 2, 4, 5, 6, 7, and 9 of Citation No. 05_66_17C_025_3601137_02, in that the System failed to submit a written agreement to comply, proof of public notification, quarterly sample results, and a Corrective Action Plan.

DIRECTIVES

The Water System and its owner of record are hereby Ordered to take the following actions:

1. On or before **December 31, 2018**, comply with 22 CCR Section 64432 and remain in compliance.
2. On or before **February 10, 2018** submit a Notification of Receipt (Attachment E) to the Division indicating its agreement to comply with the directives of this Citation addressed herein.
3. On or before **March 10, 2018** prepare and submit to the Division a Corrective Action Plan identifying improvements to the water system designed to correct the water quality problem (violation of the nitrate MCL) and ensure that the Water System delivers water to consumers that meets primary drinking water standards. The plan shall include a time schedule for completion of each of the phases of the project such as design, construction, and startup, and a date as of which the Water System will be in compliance with the nitrate MCL which date shall be no later than December 31, 2018. Any proposed system shall be NSF certified and approved by the State of California for use for Public Water System.
4. Commencing on the date of service of this Citation and Order, post a "Do Not Drink" sign at all potable water outlets that are accessible to the employees and customers.
5. Commencing on the date of service of this Citation and Order, provide monthly public notification, in accordance with Title 22, CCR, Section 64465, of the Water System's failure to meet the nitrate MCL. The monthly notification must include the most recent quarterly nitrate results. Attachment C may be used to fulfill this directive.
6. Commencing on the date of service of this Citation and Order, submit proof of each public notification conducted in compliance with Directive No. 5, herein above, within 10 days following month of notification, using the form provided as Attachment D, hereto, or by using a similar notification format to DEHS.
7. Commencing on the date of service of this Citation and Order collect quarterly samples for Nitrate as Nitrogen (NO₃-N) from Well and ensure that the analytical results are reported to the Division electronically (PS Code 3601137-001) by the analyzing laboratory no later than the 10th day following the month in which the analysis was completed. Analyzing laboratory must be Environmental Laboratory Accreditation Program (ELAP) certified. The initial sample shall be taken by January 31, 2017.
8. On or before **March 10, 2018** and every three months thereafter, submit a report to the Division in the form provided as Attachment F, hereto, showing actions taken during the previous calendar three months to comply with the revised Corrective Action Plan.
9. Notify the Division in writing no later than five (5) days prior to the deadline for performance of any Directive set forth herein if the System anticipates it will not timely meet such performance deadline.

All submittals required by this Citation and Order shall be addressed to:

Casey Salazar, REHS
Environmental Health Specialist
Division of Environmental Health Services
385 North Arrowhead Avenue, San Bernardino, CA 92415

As used in this Citation and Order, the date of issuance shall be the date of this Citation and Order; and the Date of Service shall be the date of service of this Citation and Order, personal or by certified mail, to the Water System.

The Division reserves the right to make such modifications to this Citation and Order and/or to issue such further order(s) as it may deem necessary to protect public health and safety.

Such modifications may be issued as amendments to this Citation and Order and shall be deemed effective upon issuance.

Nothing in this Citation and Order relieves the Water System or its owner of record of its obligation to meet the requirements of the California Safe Drinking Water Act, or any regulation, standard, permit or order issued thereunder.

PARTIES BOUND

This Citation and Order shall apply to and be binding upon the Water System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Citation and Order are severable, and the Water System and its owner of record shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California Safe Drinking Water Act authorizes the Division to issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California Safe Drinking Water Act or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California Safe Drinking Water Act also authorizes the Division to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the Division. Additionally, the Division may petition the superior court for an order enjoining the violations of the Safe Drinking Water Act, or for an order directing compliance therewith. The Division does not waive any further enforcement action by issuance of this Citation and Order.

Casey Salazar

Casey Salazar, REHS
Environmental Health Specialist
Division of Environmental Health Services
San Bernardino County

Certified Mail No. 7016 1970 0000 1866 4116

Attachments:

Attachment A: Applicable Authorities

Attachment B: Citation No. 05_66_17C_025_3601137_02

Attachment C: Tier 1 notice

Attachment D: Sample Certification of Completion

Attachment E: Sample Notification of Receipt

Attachment F: Quarterly Progress Report

Attachment A

Applicable Statutes and Regulations

Citation No. 05_66_18C_02_3601137_02_A1 Violation of Nitrate MCL

CHSC, Section 116275(h) states in relevant part:

(h) "Public water system" means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year.

CHSC, Section 116275(o) states in relevant part:

(o) "Transient noncommunity water system" means a noncommunity water system that does not regularly serve at least 25 of the same persons over six months per year.

CHSC, Section 116555(a)(1) states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

- (1) Complies with primary and secondary drinking water standards.

CHSC, Section 116325 states in relevant part:

The department shall be responsible for ensuring that all public water systems are operated in compliance with this chapter and any regulations adopted hereunder. The department shall directly enforce this chapter for all public water systems except as set forth in Section 116500.

CHSC, Section 116655 states in relevant part:

- (a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

CHSC, Section 116330 states in relevant part:

- (a) The department may delegate primary responsibility for the administration and enforcement of this chapter within a county to a local health officer authorized by the board of supervisors to assume these duties, by means of a local primacy delegation agreement if the local health officer demonstrates that it has the capability to meet the local primacy program requirements established by the department pursuant to subdivision (h) of Section 116375. This delegation shall not include the regulation of community water systems serving 200 or more service connections. The local primacy agreement may contain terms and conditions that the department deems necessary to carry out this chapter. The local primacy agreement shall provide that, although the local primacy agency shall be primarily responsible for administration and enforcement of this chapter for the designated water systems, the department does not thereby relinquish its authority, but rather shall retain jurisdiction to administer and enforce this chapter for the designated water systems to the extent determined necessary by the department.

CHSC, Section 116595 states in relevant part:

- (a) A public water system under the jurisdiction of a local primacy agency shall reimburse the local primacy agency for any enforcement cost incurred by the local primacy agency related to any of the following relating to that water system:
 - (1) Preparing, issuing, and monitoring compliance with, an order or a citation.
 - (2) Preparing and issuing public notification.
 - (3) Conducting a hearing pursuant to Section 116625.
- (b) The local primacy agency shall submit an invoice to the public water system that requires payment, before September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the local primacy agency. The invoice shall not exceed the total costs to the local primacy agency of enforcement activities specified in this subdivision. Notwithstanding the reimbursement to the state board of enforcement costs, if any, pursuant to Section 116577, any public water system under the jurisdiction of the local primacy agency shall also reimburse the local primacy agency for enforcement costs incurred by the local primacy agency pursuant to this section. The local primacy agency shall not be entitled to enforcement costs pursuant to this subdivision if a court determines that enforcement activities were in error. "Enforcement costs" as used in this subdivision does not include "litigation costs" as used in Section 116585.
- (c) Payment of the invoice shall be made within 90 days of the date of the invoice. Failure to pay the invoice within 90 days shall result in a 10-percent late penalty that shall be paid in addition to the invoiced amount.
- (d) The local primacy agency may, in its sole discretion, waive payment by a public water system of all or any part of the invoice or the penalty.

CHSC, Section 116650 states in relevant part:

- (a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

CHSC, Section 116655 states in relevant part:

- (a) Whenever the state board determines that any person has violated or is violating this chapter, or any order, permit, regulation, or standard issued or adopted pursuant to this chapter, the state board may issue an order doing any of the following:
 - (1) Directing compliance forthwith.
 - (2) Directing compliance in accordance with a time schedule set by the state board.
 - (3) Directing that appropriate preventive action be taken in the case of a threatened violation.
- (b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:
 - (1) That the existing plant, works, or system be repaired, altered, or added to.
 - (2) That purification or treatment works be installed.
 - (3) That the source of the water supply be changed.
 - (4) That no additional service connection be made to the system.
 - (5) That the water supply, the plant, or the system be monitored.
 - (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the state board.

CHSC, Section 116701 (Petitions to Orders and Decisions) states:

- (a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.
- (c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence. (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.
- (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.
- (f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.

Title 22, CCR, Section 64431 states in relevant part:

Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as nitrogen)	10.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 µm in length.

Section 64432.1 (a) To determine compliance with the MCL for nitrate in Table 64431-A, all public water systems using groundwater and transient-noncommunity systems using approved surface water shall monitor annually, and all community and nontransient-noncommunity systems using approved surface water shall monitor quarterly. (1) The water supplier shall require the laboratory to notify the supplier within 24 hours whenever the level of nitrate in a single sample exceeds the MCL, and shall ensure that a contact person is available to receive such analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the State Board of any acute nitrate MCL exceedance if the laboratory cannot make direct contact with the designated contact person within 24 hours. Within 24 hours of notification, the water supplier shall:

(A) Collect another sample, and

(B) Analyze the new sample; if the average of the two nitrate sample results exceeds the MCL, report the result to the State Board within 24 hours. If the average does not exceed the MCL, inform the State Board of the results within seven days from the receipt of the original analysis.

(C) If a system is unable to resample within 24 hours, it shall notify the consumers by issuing a Tier 1 Public Notice pursuant to section 64463.1 and shall collect and analyze a confirmation sample within two weeks of notification of the results the first sample.

(2) For public water systems using groundwater, the repeat monitoring frequency shall be quarterly for at least one year following any one sample in which the concentration is greater than or equal to 50 percent of the MCL. After four consecutive quarterly samples are less than the MCL, a system may request that the State Board reduce monitoring frequency to annual sampling.

Title 22, CCR, Section 64465 states in relevant part:

Public Notice Content and Format.

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

(1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);

(2) The date(s) of the violation or occurrence;

(3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;

(4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;

(5) Whether alternative water supplies should be used;

(6) What actions consumers should take, including when they should seek medical help, if known;

(7) What the water system is doing to correct the violation or occurrence;

(8) When the water system expects to return to compliance or resolve the occurrence;

(9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;

(10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: "Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail."

Attachment B
San Bernardino County
Department of Public Health
DIVISION OF ENVIRONMENTAL HEALTH SERVICES

IN RE: Lize Custom Processing Inc.
Water System No.: 3601137

TO: Lize Custom Processing Inc.
Attn: Frank Lizarraga
7310 Pine Ave.,
Chino, CA 91708

CITATION NO.: 05_66_17C_025_3601137_02
FOR
VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555 (a) (1)
AND THE PRIMARY DRINKING WATER STANDARD FOR NITRATE

Issued 7/14/2017

The Division of Environmental Health Services (hereinafter "Division"), hereby issues this citation (hereinafter "Order") pursuant to Section 116555 of the California Health and Safety Code (hereinafter "CHSC") to Lize Custom Processing Inc. Water System (hereinafter "Water System") and its owner of record for violation of CHSC section 116555(a) (1) and Title 22, California Code of Regulations (hereinafter "CCR"), Section 64431.

APPLICABLE AUTHORITIES

The applicable statutes and regulations are provided in Attachment A, attached hereto and incorporated by reference.

STATEMENT OF FACTS

The Water System is permitted as a transient non-community public water system as defined in CHSC, Section 116275 (o). The Water System provides daily water service to a meat processing plant/butcher shop with approximately 10 employees and a transient population. The Water System utilizes one (1) groundwater well (Well 1) as its source of domestic water. Title 22, CCR, Division 4, Chapter 15, Article 4, establishes primary drinking water standards and monitoring and reporting requirements for inorganic chemicals. All public water systems must comply with the maximum contaminant level (MCL) for Nitrate (as N) of 10 mg/L, as established in Title 22 CCR Section 64431. The current running annual average (RAA) from Well 1 in the year 2016 was established at an average Nitrate (as N) concentration of 26.6 mg/L as shown in Table 1.

Table 1: Nitrate (as N) Analysis Result (mg/L) and RAA

Well 1	12/22/2015	03/23/2016	06/20/2016	11/02/2016	RAA (mg/L)
PS Code 3601137-001	26	25	26	29.4	26.6

DETERMINATIONS

Based on the above Statement of Facts, the Division has determined that the Water System and its owner of record have violated CHSC, Section 116555 (a) (1), and Title 22, CCR, Section 64431.

DIRECTIVES

The Water System and its owner of record are hereby directed to take the following actions:

1. On or before **December 31, 2018**, comply with Title 22, CCR, and Section 64432.1 and remain in compliance.
2. On or before **August 15, 2017** submit a written response to the Division indicating its agreement to comply with the directives of this Order.
3. Commencing on the date of service of this order, post a "Do Not Drink" sign at all potable water outlets that are accessible to the employees. Provide proof of compliance by **August 10, 2017**.
4. Commencing on the date of service of this Order, provide quarterly public notification in accordance with Attachment B, hereto, of the Water System's failure to meet the Nitrate (as N) MCL. The quarterly notification must include the most recent quarterly Nitrate (as N) results.
5. Commencing on the date of service of this Order, submit proof of each public notification conducted in compliance with Directive No. 4, herein above, within 10 days following quarter of notification, using the form provided as Attachment C, hereto, or by using a similar notification format.
6. Commencing on the date of service of this Order collect quarterly samples for Nitrate as Nitrogen (NO₃-N) from Well 1 required by Section 64432.1 of Title 22, CCR, and ensure that the analytical results are reported to the Division electronically (EDT) by the analyzing laboratory no later than the 10th day following the month in which the analysis was completed.
7. Prepare for the Division a Corrective Action Plan identifying improvements to the water system designed to correct the water quality problem (violation of the nitrate MCL) and ensure that the Water System delivers water to consumers that meets primary drinking water standards. The plan shall include a time schedule for completion of each of the phases of the project such as design, construction, and startup, and a date as of which the Water System will be in compliance with the nitrate MCL which date shall be no later than December 31, 2018.
8. Submit the revised Corrective Action Plan required under Directive No. 7, above, to the Division's offices located at 385 North Arrowhead Avenue, 2nd Floor, San Bernardino, CA 92415.
9. Perform the Division-approved revised Corrective Action Plan and each and every element of said plan according to the time schedule set forth in Plan.

10. On or before **October 10, 2017** and every three months thereafter, submit a report to the Division in the form provided as Attachment D, hereto, showing actions taken during the previous calendar three months to comply with the revised Corrective Action Plan.
11. Not later than ten (10) days following the date of compliance with the nitrate MCL, demonstrate to the Division that the water delivered by Water System complies with the nitrate MCL.
12. Notify the Division in writing no later than five (5) days prior to the deadline for performance of any Directive set forth herein if Water System anticipates it will not timely meet such performance deadline.

All submittals required by this Order shall be addressed to:

Casey Salazar, Environmental Health Specialist
Division of Environmental Health Services
385 North Arrowhead Avenue, San Bernardino, CA 92415

As used in this Order, the date of issuance shall be the date of this Order; and the Date of service shall be the date of service of this Order, personal or by certified mail, on the Water System.

The Division reserves the right to make such modifications to this Order and/or to issue such further order(s) as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be deemed effective upon issuance.

Nothing in this Order relieves Water System or its owner of record of its obligation to meet the requirements of the California SDWA, or any regulation, standard, permit or order issued thereunder.

PARTIES BOUND

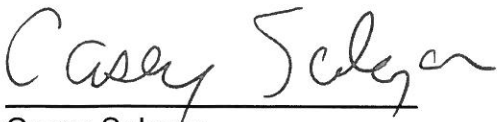
This Order shall apply to and be binding upon the Water System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Order are severable, and Water System and its owner of record shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Division to issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Division to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the Division. The Division does not waive any further enforcement action by issuance of this Order.



Casey Salazar
Environmental Health Specialist
Division of Environmental Health Services
San Bernardino County

Certified Mail No. 7012 2920 0000 1369 3087

Attachments

Attachment A: Applicable Authorities

Attachment B: Tier 1 Public Notification Instructions and Template

Attachment C: Proof of Notification Template

Attachment D: Quarterly Progress Report Template

Attachment C

Each water system required to give public notice must submit the notice to San Bernardino County, Division of Environmental Health Services (DEHS) for approval prior to distribution or posting, unless otherwise directed by the DEHS [22 CCR §64463(b)].

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting in conspicuous public places served by the water system or on the Internet ^(b)
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting on the Internet or intranet ^(b)
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [22 CCR §64465].

Multilingual Requirement

The notice must (1) be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the water system and (2) include a telephone number or address where such individuals may contact the water system for assistance. If any non-English-speaking group exceeds 1,000 persons served by the water system, but does not exceed 10 percent served, the notice must (1) include information in the appropriate language(s) regarding the importance of the notice and (2) contain the telephone number or address where such individuals may contact the water system to obtain a translated copy of the notice from the water system or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Corrective Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with chemical or radiological violations. Use one or more of the following actions, if appropriate, or develop your own:

- “We are working with San Bernardino County, Division of Environmental Health Services to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove [contaminant] or connecting to [system]’s water supply.”
- “We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well.”
- “We will increase the frequency at which we test the water for [contaminant].”
- “We have since taken samples at this location and had them tested. They show that we meet the standards.”

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the DEHS within ten days after you issue the notice [22 CCR §64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the DEHS sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately.

It is a good idea to issue a “problem corrected” notice when the violation is resolved.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

DRINKING WATER WARNING

Lizze Custom Processing water has high levels of nitrate

DO NOT GIVE THE WATER TO

INFANTS UNDER 6 MONTHS OLD OR PREGNANT WOMEN

OR USE IT TO MAKE INFANT FORMULA

Water sample results received [date] showed nitrate levels of [level and units]. This is above the nitrate standard, or maximum contaminant level (MCL), of 10 milligrams per liter. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.*
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

[Describe corrective action, seasonal fluctuations, and when system expects to return to compliance.]

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by [system].

State Water System ID#: _____. Date distributed: _____.

INFORMACIÓN IMPORTANTE SOBRE SU AGUA POTABLE

Este aviso contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

ADVERTENCIA SOBRE EL AGUA POTABLE

El agua de Lizze Custom Processing tiene altos niveles de nitratos
**NO DE ÉSTA AGUA A BEBÉS MENORES DE 6 MESES O A
MUJERES EMBARAZADAS. TAMPOCO USE ÉSTA AGUA PARA
PREPARAR FORMULA INFANTIL**

Los resultados de las pruebas del agua recibidas el [date] mostraron niveles de nitrato de [level and units]. Estos niveles exceden el estándar o nivel máximo de contaminante (MCL) de 10 miligramos por litro. Los nitratos en el agua potable son una preocupación seria en bebés menores de seis meses.

¿Qué debe hacer?

- **NO DE ÉSTA AGUA A BEBÉS MENORES DE 6 MESES.** *Los bebés menores de 6 meses que toman agua con nitrato en exceso del nivel máximo de contaminante (MCL), se pueden enfermar seriamente y rápidamente. Y si los bebés no reciben atención médica, pueden morir debido a que los altos niveles de nitratos pueden interferir con la capacidad de la sangre de los bebés para transportar oxígeno. Los síntomas incluyen falta de aire y coloración azulada de la piel. Los síntomas en los bebés se pueden desarrollar rápidamente y la salud se deteriora en cuestión de días. Si hay síntomas de intoxicación por altos niveles de nitratos, busque atención médica de inmediato.*
- **LAS MUJERES EMBARAZADAS NO DEBEN CONSUMIR AGUA CON ALTOS NIVELES DE NITRATOS.** *Los altos niveles de nitrato también pueden afectar la capacidad de la sangre de mujeres embarazadas para transportar oxígeno.*
- No use agua de la llave para preparar jugo, agua, y formula para bebés menores de 6 meses. Use agua embotellada u otra agua baja en nitratos para los bebés menores de 6 meses hasta nuevo aviso.
- **NO HIERVA EL AGUA.** Hervir, congelar, filtrar, o dejar reposar el agua, no reduce el nivel de nitratos. Hervir el agua en exceso puede causar que los nitratos se concentren más, porque los nitratos se quedan cuando el agua se evapora.
- Si tiene otros problemas de salud por el consumo de ésta agua, usted debería consultar con su doctor.

¿Qué sucedió? ¿Qué se está haciendo al respecto?

El nitrato en el agua potable puede originar de fuentes naturales, industriales, o agrícolas (incluyendo sistemas sépticos, escorrentía de agua de lluvia, y fertilizantes). Los niveles de nitrato en el agua potable pueden variar a través del año. Le informaremos si el nivel de nitratos vuelve a estar debajo del límite.

[Describe corrective action, seasonal fluctuations, and when system expects to return to compliance.]

Para más información, por favor contacte a [name of contact] al [phone number] o [mailing address]

Por favor comparta esta información con todas las demás personas que tomen de esta agua, especialmente aquellos que no hayan recibido éste aviso directamente (por ejemplo, las personas en apartamentos, asilos, escuelas, y negocios). Puede hacerlo poniendo este aviso en un lugar público o distribuyendo copias en persona o por correo.

Requisitos de Notificación Secundaria

Al recibir la notificación de alguien que opere un sistema de agua público, se debe dar la siguiente notificación

dentro de 10 días conforme a la Sección 116450(g) del Código de Salud y Seguridad:

- *ESCUELAS: Deben notificar a los empleados de la escuela, estudiantes, y a los padres (si los estudiantes son menores).*
- *DUEÑOS O GERENTES DE PROPIEDAD PARA ALQUILER RESIDENCIAL (incluyendo asilos e instituciones de cuidado): Deben notificar a sus inquilinos.*
- *DUEÑOS DE PROPIEDAD DE NEGOCIOS, GERENTES, U OPERADORES: Deben notificar a los empleados de los negocios situados en la propiedad.*

Este aviso es enviado por [system].

Núm. de Identificación del Sistema Estatal de Agua: _____.

Fecha de distribución: _____.

Attachment D

Certification of Completion of Public Notification

*Due to the Division of Environmental Health Services by the 10 day of the following month of issuance of notice to customers

This form, when completed and returned to San Bernardino County, Division of Environmental Health Services (385 North Arrowhead Ave, 2nd Floor, San Bernardino, CA 92415 or fax to 909-387-4323), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public Water System Name: _____

Public Water System No.: _____

☐ The notice was mailed to users on: _____

A copy of the notice is attached.

☐ The notice was hand delivered to water customers on: _____

A copy of the notice is attached.

☐ The notice was published in the local newspaper on: _____

A copy of the newspaper notice is attached.

☐ The notice was published in conspicuous places on: _____

A copy of the notice is attached.

A list of locations the notice was posted is attached.

☐ The notice was delivered to community organizations on: _____

A copy of the notice is attached. A list of community organizations the notice was delivered to is attached.

I hereby certify that the above information is factual.

Printed Name

Title

Signature

Date

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation each day that the violation continues. In addition, the violators may be prosecuted in criminal court and, upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

ATTACHMENT E NOTIFICATION OF RECEIPT

Citation Number: 05_66_18C_02_3601137_02_A1

Name of Water System: Lize Custom Processing

System Number: 3601137

Certification

I certify that I am an authorized representative of the Lize Custom Processing public water system and that Citation No. 05_66_18C_02_3601137_02_A1 was received on _____. Further, I certify that the Citation has been reviewed by the appropriate management staff of the Lize Custom Processing and it is clearly understood that Citation No. 05_66_18C_02_3601137_02_A1 contains legally enforceable directives with specific due dates.

Signature of Water System Representative

Date

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION OF ENVIRONMENTAL HEALTH,
NO LATER THAN February 10, 2018.**

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.

ATTACHMENT F

Quarterly Progress Report

Water System: Lizze Custom Processing	Water System No.: 3601137
Citation No. 05_66_18C_02_3601137_02_A1	Violation: Nitrate MCL
Calendar Quarter:	Date Prepared:

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to San Bernardino County, Division of Environmental Health Services.

Summary of Compliance Plan:

--

Tasks completed in the reporting quarter:

--

Tasks reaming to complete:

--

Anticipated compliance date: _____

Signature

Printed Name/Title

Date